

Search Warrant

## UNITED STATES DISTRICT COURT

for the  
District of Arizona

In the Matter of the Search of

(Briefly Describe the property to be searched or identify the person by name and address)

Case No. 22-4041MB

Physical characteristics of Darien Leslie, DOB:  
XX/XX/1995

## SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the \_\_\_\_\_ District of Arizona.  
(identify the person or describe the property to be searched and give its location):

As further described in Attachment A.

The person or property to be searched, described above, is believed to conceal (identify the person or describe the property to be seized):

As set forth in Attachment B.

Affidavit of FBI Special Agent Timothy Wilkins is incorporated herein by reference.

As set forth in Attachment C.

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.

YOU ARE COMMANDED to execute this warrant on or before 02/10/2022.  
(not to exceed 14 days)

☒ in the daytime 6:00 a.m. to 10 p.m.☐ at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to the United States Magistrate Judge on duty.

Any Magistrate Judge on duty in Arizona  
(name)

☐ I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box) ☐ for \_\_\_\_\_ days (not to exceed 30)

☐ until, the facts justifying, the later specific date of \_\_\_\_\_

Date and time issued: \_\_\_\_\_

Camille D. Bibles

Digitally signed by Camille D. Bibles  
Date: 2022.02.10 15:52:27 -07'00'

Judge's signature

City and State: Flagstaff, Arizona

Honorable Camille D. Bibles, U.S. Magistrate Judge  
Printed name and title

AO 93 (Rev. 01/09) Search and Seizure Warrant (Page 2)

**RETURN**

Case No.: 22-4041MB

Date and Time Warrant Executed:

Copy of warrant and inventory left with:

Inventory Made in the Presence of:

Inventory of the property taken and name of any person(s) seized:

**CERTIFICATION**

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date:

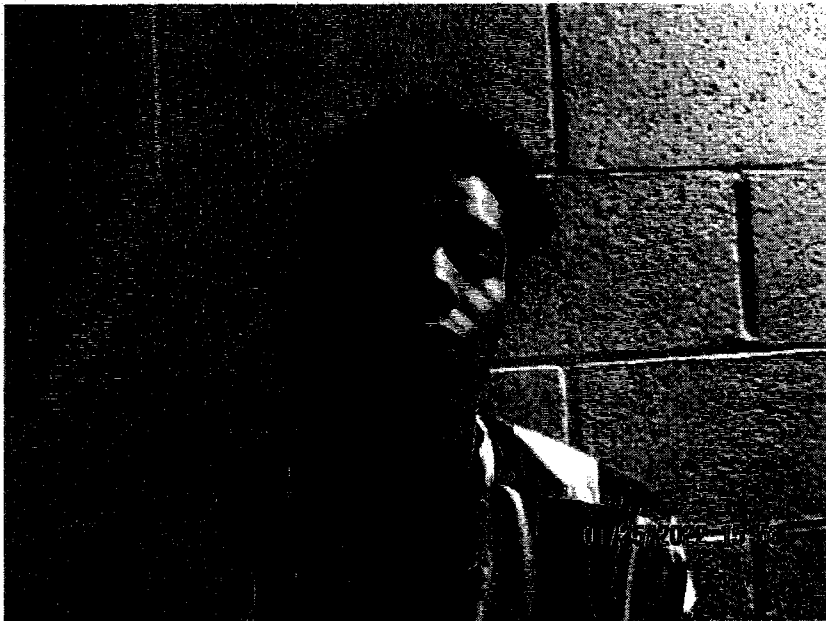
Executing officer's signature

Printed name and title

**ATTACHMENT A**

**PERSON TO BE SEARCHED**

Darien Leslie, an Indian male, 26 years of age, 6 feet tall, and approximately 170 pounds, date of birth, XX/XX/1995 who is presently incarcerated at Whiteriver Detention Center in Whiteriver, AZ. Photo below is a photo of Leslie, dated January 25, 2022.



**ATTACHMENT B**

**ITEMS TO BE SEIZED**

Evidence in the form of deoxyribonucleic acid (DNA) to be obtained from Darien Leslie through cotton/buccal swabs in the mouth and 25 body hairs, taken by combing and pulling.

Application for a Search Warrant

UNITED STATES DISTRICT COURT  
for the  
District of Arizona

In the Matter of the Search of  
(Briefly Describe the property to be searched or identify the  
person by name and address)

Case No. 22-4041MB

Physical characteristics of Darien Leslie, DOB: XX/XX/1995

**APPLICATION AND AFFIDAVIT FOR A SEARCH WARRANT**

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (*identify the person or describe the property to be searched and give its location*):

**As further described in Attachment A.**

Located in the \_\_\_\_\_ District of Arizona, there is now concealed (*identify the person or describe the property to be seized*):

The person or property to be searched, described above, is believed to conceal (*identify the person or describe the property to be seized*):

**As set forth in Attachment B.**

The basis for the search under Fed. R. Crim. P. 41(c) is (*check one or more*):

- ☒ evidence of a crime;  
☐ contraband, fruits of crime, or other items illegally possessed;  
☐ property designed for use, intended for use, or used in committing a crime;  
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code/Section	Offense Description
18:2241(a)	Aggravated Sexual Abuse

The application is based on these facts:

**Affidavit of FBI Special Agent Timothy Wilkins is incorporated herein by reference as set forth in Attachment C.**

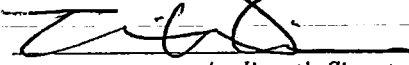
☒ Continued on the attached sheet.

☐ Delayed notice of 30 days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Reviewed by AUSA Anthony W. Church

ANTHONY  
CHURCH

(Signature required by 18 USC 3103a)  
Date: 02/14/22 15:51:58 -07'00'



*Applicant's Signature*

Timothy Wilkins, Special Agent – FBI

X Sworn by Telephone

Date/Time: \_\_\_\_\_

Date and time issued: \_\_\_\_\_

**Camille D. Bibles**

Digitally signed by Camille D.

Bibles

Date: 2022.02.10 15:51:58 -07'00'

*Judge's signature*

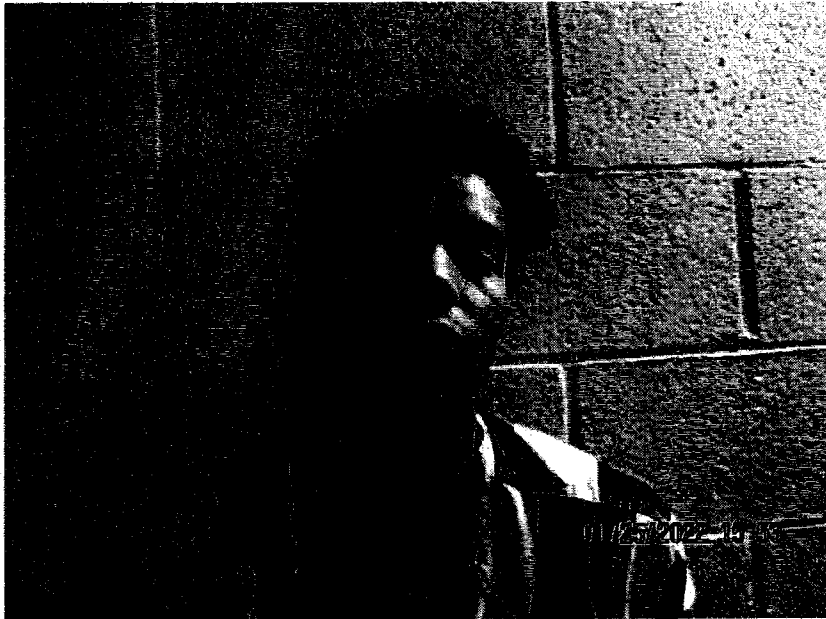
City and State: Flagstaff, Arizona

Honorable Camille D. Bibles, U.S. Magistrate Judge

**ATTACHMENT A**

**PERSON TO BE SEARCHED**

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**ATTACHMENT B**

**ITEMS TO BE SEIZED**

Evidence in the form of deoxyribonucleic acid (DNA) to be obtained from Darien Leslie through cotton/buccal swabs in the mouth and 25 body hairs, taken by combing and pulling.

**ATTACHMENT C**

**AFFIDAVIT IN SUPPORT OF A SEARCH WARRANT**

I, Timothy J. Wilkins, a Special Agent (SA) with the Federal Bureau of Investigation (FBI), being duly sworn, do hereby depose and state:

**Introduction and Agent Background**

1. Your affiant is a Special Agent of the Federal Bureau of Investigation (FBI), and is currently assigned to the Pinetop, Arizona, Resident Agency of the Phoenix, Arizona, FBI Field Division. Your affiant has been employed as a Special Agent of the FBI since June 2014 and has received training at the Federal Bureau of Investigation Training Academy in Quantico, Virginia as well as training in the investigation of sexual assault investigations and other violent crimes. In the course of his official duties, your affiant is charged with the investigation of crimes occurring on (among other places) the Fort Apache Indian Reservation within the District of Arizona.

2. As further described in Attachments A and B, I am requesting that the Court issue a search warrant to search for evidence in the form of deoxyribonucleic acid (DNA) and body hair, located in and on the body of Darien Leslie (Leslie), who is currently incarcerated at Whiteriver Detention Center in Whiteriver, AZ, located on the Fort Apache Indian Reservation. This request is made in support of an investigation for the violation of Title 18, United States Code, Section 2241 (a) (Aggravated Sexual Abuse). I submit this affidavit in support of an application for a search warrant, pursuant to Rule 41, Federal Rules of Criminal Procedure. Because this affidavit is being submitted for purposes of

establishing probable cause for a search warrant, it does not contain every fact known to law enforcement concerning this investigation.

3. This Court has jurisdiction to issue the requested warrant because it is “a court of competent jurisdiction” as defined by 18 U.S.C. § 2711. 18 U.S.C. §§ 2703(a), (b)(1)(A) & (c)(1)(A). Specifically, the Court is “a district court of the United States . . . that – has jurisdiction over the offense being investigated.” 18 U.S.C. § 2711(3)(A)(i).

4. Leslie is an enrolled Indian male member of the White Mountain Apache Indian Tribe, and the crimes alleged in this Affidavit occurred within the confines of the Fort Apache Indian Reservation in the District of Arizona.

#### **Probable Cause**

5. Your affiant respectfully requests that a search warrant be issued authorizing the search and seizure of DNA and body hair to be obtained from Leslie’s body to conduct a comparison between any potential DNA and hair found during the examination of A.T. and Leslie’s DNA, body hair, and DNA on clothing belonging to Leslie. Process of collection for Leslie’s DNA will be limited to the seizure of DNA by the use of two (2) buccal swabs. Method of collection will be oral, that is, by inserting the buccal swabs into the mouth of Leslie for the purpose of collecting saliva and cheek cells. Process of collection for Leslie’s body hair will be limited to 25 hairs to be taken from Leslie’s body. Method of collection will consist of combing Leslie’s body hair as well as extracting hairs by pulling them from Leslie’s body.

6. On January 25, 2022, at approximately 3:00 PM, your affiant was informed by White Mountain Apache Tribal Police Department (WMAT PD) Officer C. Feller of a reported sexual assault involving A.T. and Leslie. Officer Feller said that the sexual assault was reported to WMAT PD earlier that morning, but Officer Feller was unable to respond until that afternoon. Officer Feller said that A.T. told him that Leslie attacked her and sexually assaulted her earlier that morning while A.T. was giving Leslie a ride home, while on the Fort Apache Indian Reservation.

7. Your affiant obtained a copy of the report Officer Feller drafted following his interview of A.T. and reviewed it. The report stated that A.T. went to visit a friend, S.L., at approximately 12:00 AM on January 25, 2022. A.T. drank alcohol with S.L. and S.L.'s boyfriend and a friend of S.L.'s boyfriend who A.T. identified as Leslie. Later that evening, S.L. asked A.T. to drive Leslie back to his residence and A.T. agreed. At some point during the drive to Leslie's residence, Leslie said to A.T., "Are you going to give yourself to me or not? It's just us." A.T. told Leslie she would not, and Leslie began to punch A.T.'s face. Leslie repeatedly wrapped his hands around A.T.'s neck which caused A.T. to momentarily lose consciousness multiple times due to A.T. being unable to breathe. At some point during the attack, A.T. said that Leslie also bit her arms. Leslie exited the vehicle and walked around to the driver's side where A.T. was seated. Leslie pulled down A.T.'s pants and told A.T., "Do I have to kill you to get what I want?" Leslie then penetrated A.T.'s anus with his penis approximately 10 times. A.T. said she waited for Leslie to return to the passenger side of her vehicle and secure his seatbelt before she exited

the vehicle and fled the area. A.T. went to the home of a relative who called for emergency medical services and notified law enforcement.

8. A.T. was taken to Whiteriver Indian Hospital where she was provided a Sexual Assault Examination (SAE) by Sexual Assault Nurse Examiner (SANE) Anna Lennox. Writer obtained a copy of the SANE report Lennox drafted after the examination of A.T. and reviewed it. The report stated that A.T. had injuries consistent with strangulation; contusions on her face consistent with blunt force trauma; and markings on her arm consistent with bite marks. Red discharge was noted inside A.T.'s vagina and a hair was found inside her vaginal vault. The report noted that A.T. told Lennox that Leslie attacked her and forced his penis into her vagina. A.T. said that Leslie was wearing a black jacket, black shirt, green pants, and forestry boots. A.T. also said that Leslie drove off in her vehicle after she fled.

9. At approximately 7:36 AM on January 25, 2022, Officer Feller responded to a report of an abandoned vehicle on North Pump House Road in Whiteriver, AZ. Writer obtained a copy of the report Officer Feller drafted regarding the abandoned vehicle and reviewed it. The report stated that Officer Feller responded to the location and noted that the vehicle was off the roadway in a ditch and the wheels were still spinning when he arrived. Officer Feller found no occupants in the vehicle and determined that it was registered to A.T. Officer Feller had the vehicle towed and left the area.

10. At approximately 7:55 AM on January 25, 2022 WMAT PD Officer Justin Pike was dispatched to a residence approximately a ½ mile away from A.T.'s abandoned vehicle where Leslie was later arrested on charges unrelated to sexual assault. Writer

obtained a copy of the report Officer Pike drafted regarding Leslie's arrest and reviewed it. The report said that Officer Pike noted what appeared to be blood on Leslie's hand during his arrest. After the arrest, Leslie was booked into Whiteriver Detention Center.

11. Officer Feller's report regarding the sexual assault of A.T. also noted that he went to Whiteriver Detention Center to collect Leslie's clothing after receiving A.T.'s statement. Officer Feller observed that Leslie's right hand appeared to be swollen and had what appeared to be dried blood on it. Officer Feller also noted superficial lacerations on Leslie's upper back and abrasions on his abdomen. Officer Feller seized the clothing Leslie was wearing during his arrest which consisted of gray underwear, a black jacket, green pants, white shorts, and black boots. Officer Feller noted what appeared to be dried blood on the gray underwear, black jacket, green pants, and white shorts.

12. On February 7, 2022, your affiant took possession of the gray underwear, black jacket, green pants, white shorts, and black boots previously seized by Officer Feller and entered them as evidence.

13. On January 26, 2022, your affiant took possession of and entered as evidence the Sexual Assault Examination Kit completed by Lennox the previous day during her examination of A.T.

14. On January 26, 2022, your affiant requested to interview Leslie while he was incarcerated at Whiteriver Detention Center; however, he declined to be interviewed without a lawyer present.

15. On February 7, 2022, your affiant interviewed S.L. while she was incarcerated at Whiteriver Detention Center on charges unrelated to A.T.'s sexual assault.


S.L. said that she saw A.T. in A.T.'s vehicle with Leslie shortly before they left the home of S.L.'s boyfriend on the early morning of January 25, 2022. S.L. said A.T. did not have any injuries when she last saw her and only A.T. and Leslie were in the vehicle.

**Conclusion**

16. Based upon the information provided above, I believe probable cause exists that Darien Leslie committed aggravated sexual assault on January 25, 2022 and that the evidence requested in Attachment B will assist investigators in confirming the identity of the perpetrator. As stated, and described above, and in Attachments A and B, I request the Court issue a warrant for the collection of a DNA sample from the person of Leslie.

17. This affidavit was sworn telephonically before a United States Magistrate Judge legally authorized to administer an oath for this purpose.

18. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

  
\_\_\_\_\_  
Timothy J. Wilkins  
Special Agent  
Federal Bureau of Investigation

Telephonically sworn before me this 10th day of February 2022.

**Camille D. Bibles**

Digitally signed by Camille D.  
Bibles  
Date: 2022.02.10 15:51:23  
-07'00'

\_\_\_\_\_  
HONORABLE CAMILLE D. BIBLES  
United States Magistrate Judge  
District of Arizona